

State Water Resources Control Board

March 18, 2019

System No. 1000459

A.J. Sudhu, Owner
Road Runner Food and Fuel
6012 S. Elm
Easton, CA 93706

CITATION NO. 03-23-19C-40
TREATED NITRATE MAXIMUM CONTAMINATION LEVEL
FOR January and February 2019

Enclosed is Citation No. 03-23-19C-40 (hereinafter "Citation"), issued to the Road Runner Food and Fuel Water System (hereinafter "Water System") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

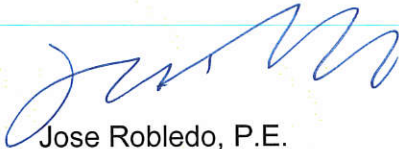
Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Caitlin Juarez of my staff at (559) 447-3395 or me at (559) 447-3300.

Sincerely,



Jose Robledo, P.E.
Senior Water Resource Control Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7014 3490 0001 7868 9467

cc:

Jared Steeley, Operator (steeley24@gmail.com)

Wayne Fox, Fresno County Environmental Health (wafox@fresnocountyca.gov)

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: 1000459

Water System No: Road Runner Food and Fuel

Attention: A.J. Sidhu, Owner

6012 S. Elm

Easton, CA 93706

Issued: March 18, 2019

CITATION FOR NONCOMPLIANCE
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555 AND
SECTION 64431, TITLE 22, CALIFORNIA CODE OF REGULATIONS

TREATED NITRATE MAXIMUM CONTAMINATION LEVEL

January and February 2019

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4,

commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 03-23-19C-40 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Road Runner Food and Fuel (hereinafter "Water System"), for violation of CHSC, Section 116555 and Section 64431, Title 22, California Code of Regulations.

STATEMENT OF FACTS

The Water System is classified as a transient non-community public water system with a population of 300, serving one service connection. The Water System does not have an active Domestic Water Supply Permit issued by the State Water Board. The Water System has been directed to submit a 5-year budget and a copy of the deed of trust for a complete permit application. The Water System is using a groundwater source to supply potable water to the distribution system.

The Water System was issued Compliance Order No. 03-23-10O-002 on February 10, 2010 for violation of the Nitrate maximum contaminant level (MCL) at Well 01. The Water System was returned to compliance on February 4, 2015 after installing ion exchange treatment and demonstrating six consecutive months with nitrate levels below the MCL.

The Division conducted a routine inspection of Road Runner Food and Fuel Water System on November 27, 2018. The inspection report dated January 3, 2019 required the Water System to conduct weekly treated nitrate samples. Furthermore, the inspection report listed several requirements and recommendations regarding the nitrate treatment

1 plant. The Division has not been notified if any of the improvements have been
2 implemented.

3
4 CHSC, Section 116555 requires all public water systems to comply with primary drinking
5 water standards as defined in CHSC, Section 116275(c). Primary drinking water
6 standards include maximum levels of contaminants, specific treatment standards, and
7 monitoring and reporting requirements as specified in regulations adopted by the State
8 Water Board.

9
10 **A. EFFLUENT NITRATE MCL VIOLATION**

11
12 The inspection report issued on January 3, 2019 required the Water System to conduct
13 weekly effluent nitrate monitoring to closely monitor possible occasional spikes in the
14 treated effluent. The Water System has failed to maintain the treated nitrate
15 concentration below the maximum contaminant level (MCL) of 10 mg/L (as nitrate) during
16 January and February 2019.

17
18 Nitrate is an acute contaminant and can result in illness and death to infants when
19 exposed for even short periods to levels above the MCL. As of the date of this citation,
20 the Division has received two (2) weeks of effluent nitrate data in January and February
21 2019 which shows the nitrate MCL was exceeded. Table 1 summarizes the weekly
22 treated nitrate data from July 2018 until present. Table 2 summarizes the quarterly source
23 nitrate concentrations from Well 01.

Table 1. Treated Nitrate Concentrations

Date	Effluent Nitrate, mg/L (MCL = 10 mg/L as N)	Date	Effluent Nitrate, mg/L (MCL = 10 mg/L as N)
07/05/2018	3.3	12/07/2018	3.1
07/11/2018	4.1	01/04/2019	9.0
07/16/2018	2.4	01/16/2019	1.5
07/23/2018	2.0	01/30/2019	14
08/02/2018	5.8	02/11/2019	1.5
10/24/2018	2.3	02/25/2019	111

Table 2. Source Water Nitrate Concentrations (Well 01)

Date	Source Nitrate, mg/L (MCL = 10 mg/L as N)
04/17/2018	19
07/05/2018	18
10/10/2018	16
11/09/2018	1.8

B. NOTIFICATION REQUIREMENTS

Section 116450 of the California Health and Safety Code (CHSC), specifies that whenever a monitoring requirement specified in the Division's regulations is not performed, the person operating the public water system shall notify the Division and shall give notice to the users of that fact in the manner prescribed by the Division.

Public notification for violation of any requirement of Section 64423 shall be in accordance with Sections 64463 which outlines the prescribed methods and information to be included in the public notice to the customers.

1
2 Section 64463.4 allows non-community water systems to give public notice by posting
3 the notice in conspicuous locations throughout the area served by the water system and
4 by the use of one or more of the following methods in order to reach persons not likely
5 to be reached by a public posting: publication in a local newspaper or newsletter
6 distributed to customers, e-mailing the public notice to water system customers, post
7 the public notice on the internet, or by delivery to each customer.

8 Proof of notification is required. The public notice form and proof of notification form can
9 be found in Appendix B. The Water System shall post the public notice, if not already
10 posted, and return the proof of notification to the Division by **March 30, 2019.**

11 12 **DETERMINATION**

13
14 The State Water Board has determined that the Water System has failed to comply with
15 CHSC, Section 116555 that requires all public water systems to comply with primary
16 drinking water standards as defined in CHSC, Section 116275(c). The Water System
17 has failed to comply with the nitrate MCL post treatment.

18 19 **DIRECTIVES**

20 The Water System is hereby directed to take the following actions:

- 21
- 22 1. By March 20, 2019, provide public notification of the failure to comply with the
23 nitrate MCL by posting the public notices in conspicuous locations within the
24 general service area for a minimum of seven (7) days.
- 25

2. By March 30, 2019, the Water System shall provide proof of public notification using Attachment A to:

Jose Robledo, P.E.
Senior Water Resource Control Engineer, Fresno District
265 W. Bullard Avenue, Suite 101
Fresno, CA 93704

3. By **March 30, 2019** complete and return to the State Water Board the "Notification of Receipt" form attached to this Citation as Appendix A. Completion of this form confirms that the Water System has received this Citation and understands that it contains legally enforceable directives(s) with due dates.

4. The Water System shall ensure that the effluent nitrate monitoring is conducted weekly and source nitrate monitoring is conducted quarterly. The Division should be notified within 24 hours whenever the effluent nitrate MCL is exceeded post treatment.

5. The Water System shall submit a 5-year budget and proof of ownership for a completed permit application to the Division no later than **April 30, 2019**.

All submittals required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation must include the following information: Water System name and number, citation number and title of the document being submitted.

Jose Robledo, P.E.
Senior Water Resource Control Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH

1 DRINKING WATER FIELD OPERATIONS
2 265 W. Bullard Avenue, Suite 101
3 Fresno, CA 93704
4

5 The State Water Board reserves the right to make modifications to this Citation as it
6 may deem necessary to protect public health and safety. Such modifications may be
7 issued as amendments to this Citation and shall be effective upon issuance.

8
9 Nothing in this Citation relieves the Water System of its obligation to meet the
10 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,
11 commencing with Section 116270), or any regulation, standard, permit or order issued
12 or adopted thereunder.
13

14 **PARTIES BOUND**

15 This Citation shall apply to and be binding upon the Water System, its owners,
16 shareholders, officers, directors, agents, employees, contractors, successors, and
17 assignees.
18

19 **SEVERABILITY**

20 The directives of this Citation are severable, and the Water System shall comply with
21 each and every provision thereof notwithstanding the effectiveness of any provision.
22

23 **FURTHER ENFORCEMENT ACTION**

24 The California SDWA authorizes the State Water Board to: issue a citation or order with
25 assessment of administrative penalties to a public water system for violation or continued
26 violation of the requirements of the California SDWA or any regulation, permit, standard,
27 citation, or order issued or adopted thereunder including, but not limited to, failure to
28 correct a violation identified in a citation or compliance order. The California SDWA also
29 authorizes the State Water Board to take action to suspend or revoke a permit that has

1 been issued to a public water system if the public water system has violated applicable
2 law or regulations or has failed to comply with an order of the State Water Board, and to
3 petition the superior court to take various enforcement measures against a public water
4 system that has failed to comply with an order of the State Water Board. The State Water
5 Board does not waive any further enforcement action by issuance of this Citation.

7
8 
9 _____
10 Jose Robledo, P.E.

3/18/19

Date

11 Senior Water Resource Control Engineer, Fresno District
12 SOUTHERN CALIFORNIA BRANCH
13 DRINKING WATER FIELD OPERATIONS



14
15
16
17 Appendices 2:

- 18
19 1. Notification of Receipt Form
20 2. Public Notification Template

21
22 Certified Mail No. 7014 3490 0001 7868 9467

Appendix A - Notification of Receipt

Citation Number: 03-23-19C-40

Name of Water System: Road Runner Food and Fuel

System Number: 1000459

Certification

I certify that I am an authorized representative of the Road Runner Food and Fuel and that Citation No. 03-23-19C-40 was received on _____. Further I certify that the Citation has been reviewed by the appropriate management staff of the Road Runner Food and Fuel and it is clearly understood that Citation No. 03-23-19C-40 contains legally enforceable directives with specific due dates.

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,
DIVISION OF DRINKING WATER, NO LATER THAN March 30, 2019.**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

Appendix A - Notification of Receipt

Citation Number: 03-23-19C-40

Name of Water System: Road Runner Food and Fuel

System Number: 1000459

Certification

I certify that I am an authorized representative of the Road Runner Food and Fuel and that Citation No. 03-23-19C-40 was received on _____. Further I certify that the Citation has been reviewed by the appropriate management staff of the Road Runner Food and Fuel and it is clearly understood that Citation No. 03-23-19C-40 contains legally enforceable directives with specific due dates.

Signature of Water System Representative

Date

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IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

DRINKING WATER WARNING

Road Runner Food and Fuel water has high levels of nitrate

**DO NOT GIVE THE WATER TO
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received 01/30/19 and 02/25/19 showed nitrate levels of 14 mg/L and 10.5 mg/L, respectively. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Road Runner Food and Fuel.

State Water System ID#: 1000459. Date distributed: _____.

INFORMACIÓN IMPORTANTE SOBRE SU AGUA POTABLE

Este aviso contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

ADVERTENCIA SOBRE EL AGUA POTABLE

El agua de [System] tiene altos niveles de nitratos

NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES O A MUJERES EMBARAZADAS. TAMPOCO USE ÉSTA AGUA PARA PREPARAR FORMULA INFANTIL

Los resultados de las pruebas del agua recibidas el [date] mostraron niveles de nitrato de [level and units]. Estos niveles exceden el estándar o nivel máximo de contaminante (MCL) de 10 miligramos por litro. Los nitratos en el agua potable son una preocupación seria en bebés menores de seis meses.

¿Qué debe hacer?

- **NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES.** *Los bebés menores de 6 meses que toman agua con nitrato en exceso del nivel máximo de contaminante (MCL), se pueden enfermar seriamente y rápidamente. Y si los bebés no reciben atención médica, pueden morir debido a que los altos niveles de nitratos pueden interferir con la capacidad de la sangre de los bebés para transportar oxígeno. Los síntomas incluyen falta de aire y coloración azulada de la piel. Los síntomas en los bebés se pueden desarrollar rápidamente y la salud se deteriora en cuestión de días. Si hay síntomas de intoxicación por altos niveles de nitratos, busque atención médica de inmediato.*
- **LAS MUJERES EMBARAZADAS NO DEBEN CONSUMIR AGUA CON ALTOS NIVELES DE NITRATOS.** *Los altos niveles de nitrato también pueden afectar la capacidad de la sangre de mujeres embarazadas para transportar oxígeno.*
- No use agua de la llave para preparar jugo, agua, y formula para bebés menores de 6 meses. Use agua embotellada u otra agua baja en nitratos para los bebés menores de 6 meses hasta nuevo aviso.
- **NO HIERVA EL AGUA.** Hervir, congelar, filtrar, o dejar reposar el agua, no reduce el nivel de nitratos. Hervir el agua en exceso puede causar que los nitratos se concentren más, porque los nitratos se quedan cuando el agua se evapora.
- Si tiene otros problemas de salud por el consumo de ésta agua, usted debería consultar con su doctor.

¿Qué sucedió? ¿Qué se está haciendo al respecto?

El nitrato en el agua potable puede originar de fuentes naturales, industriales, o agrícolas (incluyendo sistemas sépticos, escorrentía de agua de lluvia, y fertilizantes). Los niveles de nitrato en el agua potable pueden variar a través del año. Le informaremos si el nivel de nitratos vuelve a estar debajo del límite.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

Para más información, por favor contacte a [name of contact] al [phone number] o [mailing address]

Por favor comparta esta información con todas las demás personas que tomen de esta agua, especialmente aquellos que no hayan recibido éste aviso directamente (por ejemplo, las personas en apartamentos, asilos, escuelas, y negocios). Puede hacerlo poniendo este aviso en un lugar público o distribuyendo copias en persona o por correo.

Requisitos de Notificación Secundaria

Al recibir la notificación de alguien que opere un sistema de agua público, se debe dar la siguiente notificación dentro de 10 días conforme a la Sección 116450(g) del Código de Salud y Seguridad:

- ESCUELAS: Deben notificar a los empleados de la escuela, estudiantes, y a los padres (si los estudiantes son menores).
- DUEÑOS O GERENTES DE PROPIEDAD PARA ALQUILER RESIDENCIAL (incluyendo asilos e instituciones de cuidado): Deben notificar a sus inquilinos.
- DUEÑOS DE PROPIEDAD DE NEGOCIOS, GERENTES, U OPERADORES: Deben notificar a los empleados de los negocios situados en la propiedad.

Este aviso es enviado por [system].

Núm. de Identificación del Sistema Estatal de Agua: _____.

Fecha de distribución: _____.